IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Criminal Revision No.181 of 2004
Date of decision: 22.08.2013.

Jagsir Singh ..Petitioner

Versus

State of Punjab ..Respondent

CORAM: HON'BLE MRS. JUSTICE DAYA CHAUDHARY

Present: Mr. Amandeep Chhabra, Advocate
for the petitioner.

Mr. Rajinder Nain, AAG, Punjab
for the respondent – State.

Daya Chaudhary, J.

The present revision petition has been filed by the petitioner-Jagsir Singh after loosing the case before the two Courts below.

The petitioner was convicted by the trial Court vide judgment dated 08.04.2002 under Section 406 of Indian Penal Code and was sentenced to undergo RI for one year along with fine of ₹1000/- and in case of default in making payment of fine, he was to undergo RI for another 15 days.

Petitioner being aggrieved by the judgment of conviction as well as order of sentence dated 08.04.2002 filed appeal before

Rani Neetu
2013.08.26 12:16
I attest to the accuracy and
integrity of this document
Chandigarh

learned Additional Sessions Judge, Ferozepur, which was dismissed on 01.12.2003 and judgment of conviction as well as order of sentence passed by the trial Court was upheld.

Learned counsel for the petitioner has raised various arguments to challenge judgments of both the Courts but ultimately, he submits that in case, the sentence is reduced to the period already undergone, he will not contest the conviction. Learned counsel for the petitioner further submits that the petitioner has suffered agony of trial since registration of FIR i.e., 31.03.1999 and he is having a large family to support and being the sole bread winner of the family, he deserves concession of reduction of sentence. Learned counsel for the petitioner also submits that the petitioner is first offender and no other case is pending against him.

Keeping in view the limited prayer of the petitioner and also the fact that learned counsel for the petitioner does not want to contest the conviction and prays only to reduce the sentence to the period already undergone on the ground that the petitioner is first offender and he has already suffered a lot since registration of FIR i.e., 31.03.1997; and he is sole bread winner of the family, request is accepted and the sentence is reduced to the period already undergone by the petitioner. However, the conviction of the petitioner is upheld and sentence of fine shall also remain same. The petitioner is on bail as his sentence has already been suspended by this Court vide order dated 29.01.2004.

Rani Neetu
2013.08.26 12:16
I attest to the accuracy and
integrity of this document
Chandigarh

The revision petition is disposed of with the modification of sentence.

22.08.2013 **(DAYA CHAUDHARY)**
neetu **JUDGE**

Rani Neetu
2013.08.26 12:16
I attest to the accuracy and
integrity of this document
Chandigarh